

Remarks

Claims 1 thorough 17 remain in the application. Claim 1 has been amended to more clearly define the invention, in view of the discussion between the undersigned and Examiner Bennett and Patel on October 2, 2003. Claim 1 now defines the channel as "linear", as shown in the figures. No new matter is added.

The Response and Amendment filed June 3, 2003, at page 5 argued against the outstanding rejection based on U.S. Patent No. 6,065,471 to Schaeffer et al. ("Schaeffer"). In order more clearly distinguish the subject matter of claim 1, and that of claims 2-17 dependent thereon, claim 1 has now been amended to define the channel as linear.

As discussed, and agreed to, at the October 2, 2003 interview, Schaeffer does not disclose or suggest a device having a linear channel and a cup assembly as defined in claim 1 of the subject application. The other references do not teach or suggest a channel and cup assembly as defined in claim 1 as well. Therefore, claim 1, as well as claims 2-17 dependent therefrom, of the subject application, should be considered patentable over Schaeffer alone or in combination with the other references. Those rejections should be reconsidered and withdrawn.

CONCLUSION

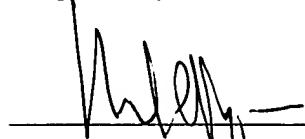
On the basis of the foregoing amendments and remarks, Applicants respectfully submit that all of pending claims 1-17 are in condition of allowance. If there are any questions regarding these amendments and remarks, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

The Commissioner is hereby authorized to charge any additional fees that may be due, or credit any overpayment to Deposit Account No. 50-1133.

Date: _____

12/12/03

Respectfully submitted,



Mark G. Lappin, P.C.
Registration Number 26, 618
McDERMOTT, WILL & EMERY
28 State Street
Boston, Massachusetts 02109
Tel: (617) 535-4043
Fax: (617) 535-3800